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APPLICATION OF

BUCHANAN GENERATION, LLC

CASE NO. PUE-2001-00657

**For permission to construct and operate
an electrical generating facility**

HEARING EXAMINER'S RULING

May 2, 2002

On November 13, 2001, Buchanan Generation, LLC filed an application to construct and operate an 88 MW simple cycle gas fired electric generation facility in Buchanan County. The facility will be fueled by coal-bed methane gas. The site for the project is the former location of a contour strip coal mining operation.

The Commission issued an order on February 13, 2002, establishing a procedural schedule for receiving comments and evidence on the application, and assigning the case to a hearing examiner.

Staff supports this project and no comments in opposition to the project have been received. However, the Commission also has recently remanded three cases in which developers proposed to construct and operate electric generation facilities to receive additional information on the cumulative impact of all proposed generating plants on existing air quality. Like the pending case, none of those projects faced any opposition. The Commission found that the record in those cases did not address the existing air quality with respect to various pollutants, or the cumulative impact on existing air quality for criteria pollutants from the facilities. Upon a review of the record filed to support this project, I find that this record must also be supplemented with additional information on the cumulative impact of this project and all proposed projects on the existing air quality of Buchanan County and the surrounding area. Accordingly,

IT IS DIRECTED that the Applicant file supplemental information as specified herein as promptly as it is able.

Deborah V. Ellenberg
Chief Hearing Examiner